

Purchasing Department 110 Fifth Street, Ste 400 Salem, NJ 08079 Debby Turner-Fox, Purchasing Agent, QPA Phone (856) 935-7510 ext 8601 Fax (856)935-2926

Dear Prospective Salem County Vendor:

As a new/prospective vendor to Salem County we are required to obtain and retain some documentation from your organization.

As a new/prospective vendor to Salem County, we need you to submit a copy of the following documents so we can establish you or update your information in our Accounts Payable system.

- Business Registration Certificate
- W-9 Form
- Vendor Information Form

Please complete these documents and return them to Dianne Thompson in the Salem County Finance Department at diann.thompson@salemcountynj.gov

We have also enclosed a copy of documentation regarding our tax-exempt status for your files.

Thank you for your interest in doing business with the County of Salem. If you have any questions regarding this matter, please feel free to contact the Purchasing Office at (856) 935-7510 x 8401 or purchasing@salemcountynj.gov.

Debby Turner-Fox, QPA, RPPO

County of Salem, Purchasing Agent

Enclosures (5)

## **Business Registration Certificates and Compliance**

#### Revised Contract Language for Business Registration Certificates and Compliance (9-2018)

Pursuant to N.J.S.A. 52:32-44, Salem County ("Contracting Agency") is prohibited from entering into a contract with an entity unless the bidder/proposer/contractor, and each subcontractor that is required by law to be named in a bid/proposal/contract has a valid Business Registration Certificate on file with the Division of Revenue and Enterprise Services within the Department of the Treasury.

Prior to contract award or authorization, the contractor shall provide the Contracting Agency with its proof of business registration and that of any named subcontractor(s).

Subcontractors named in a bid or proposal shall provide proof of business registration to the bidder, who in turn, shall provide it to the Contracting Agency prior to the time of contract, purchase order, or other contracting document is awarded or authorized.

#### **During the course of contract performance:**

- (1) The contractor shall not enter into a contract with a subcontractor unless the subcontractor first provides the contractor with a valid proof of business registration.
- (2) The contractor shall maintain and submit to the Contracting Agency a list of subcontractors and their addresses that may be updated from time to time.

The contractor and any subcontractor providing goods or performing services under the contract, and each of their affiliates, shall collect and remit to the Director of the Division of Taxation in the Department of Treasury, the use tax due pursuant to the Sales and Use Tax Act, (N.J.S.A. 54:32B-1 et seq.) on all sales of tangible personal property delivered in the State. Any questions in this regard can be directed to the Division of Taxation at (609) 292-6400. Form NJ-REG can be filed online at <a href="https://www.state.nj.us/treasury/revenue/busregcert.shtml">www.state.nj.us/treasury/revenue/busregcert.shtml</a>.

# SAMPLES BUSINESS REGISTRATION CERTIFICATES



- (3) Before final payment is made under the contract, the contractor shall submit to the Contracting Agency a complete and accurate list of all subcontractors used and their addresses.
- (4) Pursuant to N.J.S.A. 54:49-4.1, a business organization that fails to provide a copy of a business registration as required, or that provides false business registration information, shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000, for each proof of business registration not properly provided under a contract with a contracting agency.

#### **Emergency Purchases or Contracts**

For purchases of an emergent nature, the contractor shall provide its Business Registration Certificate within two weeks from the date of purchase or execution of the contract or prior to payment for goods or services, whichever is earlier.

# Form W=9 (Rev. January 2003) Department of the Treasury Internal Revenue Service

## Request for Taxpayer Identification Number and Certification

Give form to the requester. Do not send to the IRS.

	: Name		
Print or type See Specific Instructions on page 2.			
	Business name, if different from above		
Print or type	Check appropriate box: ☐ Individual/ Sole proprietor ☐ Corporation ☐ Partnership ☐ Other ▶	Exempt from backup withholding	
Print o	Address (number, street, and apt. or suite no.)	Requester's name and address (optional)	
pecific	City, state, and ZIP code		
See S	List account number(s) here (optional)		
Pa	Taxpayer Identification Number (TIN)		
page see Note	er your TIN in the appropriate box. For individuals, this is your social security number (SSN).  Never, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on  the 3. For other entities, it is your employer identification number (EIN). If you do not have a number,  How to get a TIN on page 3.  The entire is in more than one name, see the chart on page 4 for guidelines on whose number anter.	or	
Pa	rt D Certification		
Und	ler penalties of perjury, I certify that:		
1. 7	The number shown on this form is my correct taxpayer identification number (or I am waiting for a r	number to be issued to me), and	
2.	I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all in notified me that I am no longer subject to backup withholding, and	have not been notified by the Internal	
	I am a U.S. person (including a U.S. resident alien).		
For r	tification instructions. You must cross out item 2 above if you have been notified by the IRS that y holding because you have failed to report all interest and dividends on your tax return. For real esta mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contragement (IRA), and generally, payments other than interest and dividends, you are not required to s	ate transactions, item 2 does not apply.	

## Purpose of Form

Signature of

U.S. person ▶

Sign

Here

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

provide your correct TIN. (See the instructions on page 4.)

- **U.S.** person. Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:
- 1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee.

Note: If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Foreign person. If you are a foreign person, use the appropriate Form W-8 (see Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

#### Nonresident alien who becomes a resident alien.

Date ▶

Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the recipient has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement that specifies the following five items:

- 1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
  - 2. The treaty article addressing the income.
- 3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
- 4. The type and amount of income that qualifies for the exemption from tax.
- 5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity not subject to backup withholding, give the requester the appropriate completed Form W-8.

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 30% of such payments (29% after December 31, 2003; 28% after December 31, 2005). This is called "backup withholding." Payments that may be subject to backup withholding include interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will **not** be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

# Payments you receive will be subject to backup withholding if:

- 1. You do not furnish your TIN to the requester, or
- 2. You do not certify your TIN when required (see the Part II instructions on page 4 for details), or
- 3. The IRS tells the requester that you furnished an incorrect TIN, or
- 4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
- 5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See the instructions below and the separate Instructions for the Requester of Form W-9.

#### **Penalties**

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of Federal law, the requester may be subject to civil and criminal penalties.

## Specific Instructions

#### Name

If you are an individual, you must generally enter the name shown on your social security card. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name.

If the account is in joint names, list first, and then circle, the name of the person or entity whose number you entered in Part I of the form.

Sole proprietor. Enter your individual name as shown on your social security card on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name" line.

Limited liability company (LLC). If you are a single-member LLC (including a foreign LLC with a domestic owner) that is disregarded as an entity separate from its owner under Treasury regulations section 301.7701-3, enter the owner's name on the "Name" line. Enter the LLC's name on the "Business name" line.

Other entities. Enter your business name as shown on required Federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name" line.

Note: You are requested to check the appropriate box for your status (individual/sole proprietor, corporation, etc.).

#### **Exempt From Backup Withholding**

If you are exempt, enter your name as described above and check the appropriate box for your status, then check the "Exempt from backup withholding" box in the line following the business name, sign and date the form.

Generally, individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends.

Note: If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.

Exempt payees. Backup withholding is not required on any payments made to the following payees:

- 1. An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2);
- The United States or any of its agencies or instrumentalities;
- A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities;
- A foreign government or any of its political subdivisions, agencies, or instrumentalities; or
- An international organization or any of its agencies or instrumentalities.

Other payees that may be exempt from backup withholding include:

- 6. A corporation;
- A foreign central bank of issue;
- A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States;

# Salem County, New Jersey Vendor Information Sheet 2021

In order to guarantee that all future correspondence is directed to the correct person, assure proper ordering, and to expedite future payments, the following information must be provided:

Salem County Account Number Assig	ned by your Organization:
Name of Business:	
Mailing Address (this is the address th Documents and Payments will be ma	nat all official correspondence, including Purchase Orders, Contr iled to:
Alternate Address (please identify wh	nat this address is to be used for:
Office Phone:	Fax:
Cell or Emergency Phone:	
Email:	
Vendor's Salesperson Contact Inf	ormation:
Name:	
Business Hours Phone:	Mobile Phone:
After Hours Phone:	Pager:
Vendor's Customer Service Conta	ct Information:
Name:	
Business Hours Phone:	Mobile Phone:
After Hours Phone:	Pager:
electronic Purchase Orders in order t purchase orders via e-mail, complete	ill be requiring all vendors in the coming year to receive to streamline the procurement process. In order to receive the following information and we will update your file to receive messages from purchasing@salemcountynj.gov
Vendor's Accounts Receivable Co	ntact Information:
Name:	
	Mobile Phone:



PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER

Lt. Governor

DEPARTMENT OF THE TREASURY
DIVISION OF TAXATION
P. O. Box 269
TRENTON, NEW JERSEY 08695-0269

ELIZABETH MAHER MUOIO Acting State Treasurer

JOHN J. FICARA Acting Director

Telephone (609) 292-5995 / Facsimile (609) 989-0113

[This letter is undated and does not expire.]

County of Salem Treasurer's Office 94 Market Street Salem, NJ 08079

Dear Sellers/Vendors and Government Purchasing Officers:

County of Salem is an agency, political subdivision, or instrumentality of the State of New Jersey and is exempt from Sales and Use Tax pursuant to N.J.S.A. 54:32B-9 (a)(1) of the New Jersey Sales and Use Tax Act (N.J.S.A. 54:32B-1 et seq.).

The exemption provided under N.J.S.A. 54:32B-9(a)(1) generally excludes the sale or use of energy or utility service to an agency, political subdivision, or instrumentality of the State. See, N.J.S.A. 54:32B-9(c)(d). However, under N.J.S.A. 32:2-23.36, **The County of Salem** is specifically exempt "from paying taxes on any personal property acquired or used by it for any purpose...," which includes an exemption from the New Jersey Sales and Use Tax on purchases of natural gas and/or electricity. This exemption *does not* extend to charges for the related utility services (the transmission or transportation of natural gas and electricity).

An agency, political subdivision, or instrumentality of the State is not required to use an Exempt Organization Certificate (Form ST-5) to make qualified tax exempt purchases. Official letterhead, a purchase order or similar document signed by a qualified officer is sufficient proof that the entity is exempt from paying New Jersey Sales Tax. Payment must be made by check, voucher, or electronic payment from a government fund.

New Jersey State and local governmental entities making cash purchases of \$150 or less from imprest funds may use the Exempt Use Certificate (Form ST-4). Proper use of the ST-4 requires the following: (1) a qualified officer of the agency must sign the form; (2) "Government Entity" must appear in the box on the upper right corner for "PURCHASER'S NEW JERSEY TAXPAYER REGISTRATION NUMBER;" (3) "9(a)" should be filled in the box following "N.J.S.A. 52:32B-;" and the name and title of the agency representative engaged with the seller should appear at the bottom of the form.

Exempt Organization Unit Regulatory Services Branch New Jersey Division of Taxation The information contained in this letter is specific to the facts or circumstances presented by the inquirer and may not be relied on by any other person or used as advice or precedent for any other matter or person in a similar situation.

ST-4 (09-16, R-16)

ELIGIBLE NONREGISTERED PURCHASER: SEE INSTRUCTIONS \*\*

# State of New Jersey DIVISION OF TAXATION

#### SALES TAX

FORM ST-4

PURCHASER'S NEW JERSEY
TAXPAYER REGISTRATION NUMBER\*

21-6001147

# **EXEMPT USE CERTIFICATE**

To be completed by purchaser and given to and retained by seller. Please read and comply with the instructions given on both sides of this certificate.

	(Name of Sci	lar)	Date	
	(Manie of Sec	icij		
Addro	ess	City	State	Zíp
or purchases covere		no requirement to pay the ecause the tangible person at Tax Act.	1970	
The tangible per	sonal property or serv	rices will be used for the f	ollowing exempt purpose*	
	4			
<b>T</b>				
		ible personal property or		distribution and the contract of the contract
purpose is provided	in subsection N.J.S.A		(See reverse side for	listing for principal exem
purpose is provided	in subsection N.J.S.A	. 54:32B- 9 (a)	(See reverse side for	listing for principal exemp
purpose is provided uses of tangible person.  I, the undersigned purch. Act with respect to the use tax on the transaction or	in subsection N.J.S.A sonal property or servi aser, have read and compli se of the Exempt Use Certi	ices and fill in the block we see with the instructions and rule ficate, and it is my belief that the his Certificate. The undersigned	(See reverse side for ith proper subsection cital spromulgated pursuant to the N seller named herein is not requ	listing for principal exemption).  ew Jersey Sales and Use Taxifred to collect the sales or use
purpose is provided uses of tangible person.  I, the undersigned purch. Act with respect to the use tax on the transaction or	in subsection N.J.S.A sonal property or serving aser, have read and complise of the Exempt Use Certific transactions covered by the information shown in the County of Salem	ices and fill in the block was and fill in the block was ied with the instructions and rule ficate, and it is my belief that the is Certificate. The undersigned his Certificate is true.	(See reverse side for ith proper subsection cital spromulgated pursuant to the N seller named herein is not requ	listing for principal exeminants.  ew Jersey Sales and Use Taxing to collect the sales or use
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- Registered sellers who accept fully completed exemption certificates within 90 days subsequent to the date of sale are relieved of
  liability for the collection and payment of sales tax on the transactions covered by the exemption certificate. The following information
  must be obtained from a purchaser in order for the exemption certificate to be fully completed:
  - · Purchaser's name and address;
  - · Type of business;
  - · Reasons(s) for exemption;
  - Purchaser's New Jersey tax identification number or, for a purchaser that is not registered in New Jersey, the Federal employer identification number or out-of-State registration number. Individual purchasers must include their driver's license number;
  - · If a paper exemption certificate is used (including fax), the signature of the purchaser.

The seller's name and address are not required and are not considered when determining if an exemption certificate is fully completed. A seller that enters data elements from paper into an electronic format is not required to retain the paper exemption certificate.

The seller may, therefore, accept this certificate as a basis for exempting sales to the signatory purchaser and is relieved of liability even if it is determined that the purchaser improperly claimed the exemption. If it is determined that the purchaser improperly claimed an exemption, the purchaser will be held liable for the nonpayment of the tax.

- Retention of Certificates Certificates must be retained by the seller for a period of not less than four years from the date of the last sale covered by the certificate. Certificates must be in the physical possession of the seller and available for inspection.
- 3. Acceptance of an exemption certificate in an audit situation On and after October 1, 2011, if the seller either has not obtained an exemption certificate or the seller has obtained an incomplete exemption certificate, the seller has at least 120 days after the Division's request for substantiation of the claimed exemption to either:
  - Obtain a fully completed exemption certificate from the purchaser, taken in good faith, which, in an audit situation, means that the seller obtain a certificate claiming an exemption that:
    - (a) was statutorily available on the date of the transaction, and
    - (b) could be applicable to the item being purchased, and
    - (c) is reasonable for the purchaser's type of business; OR
  - 2. Obtain other information establishing that the transaction was not subject to the tax.

If the seller obtains this information, the seller is relieved of any liability for the tax on the transaction unless it is discovered through the audit process that the seller had knowledge or had reason to know at the time such information was provided that the information relating to the exemption claimed was materially false or the seller otherwise knowingly participated in activity intended to purposefully evade the tax that is properly due on the transaction. The burden is on the Division to establish that the seller had knowledge or had reason to know at the time the information was provided that the information was materially false.

4. Common exempt uses of property or services for which the ST-4 is applicable follow.

NOTE: The descriptions are general and do not necessarily cover every exempt use or service or every condition for exemption. Further information is available from the Division of Taxation.

- Sales of machinery and equipment for use directly and primarily in the production of property by manufacturing, processing, assembling or refining. N.J.S.A. 54:32B-8.13a.
- Sales of equipment to a telecommunication service provider subject to the jurisdiction of the BPU or the FCC for use directly and primarily in providing interactive telecommunications services for sale. N.J.S.A. 54:32B-8.13c.
- Sales of tangible personal property for use directly and exclusively in experimental research and development in the laboratory sense. N.J.S.A. 54:32B-8.14.
- Sales of wrapping materials or non-returnable containers for use in the delivery of tangible personal property or sales of containers for use in a farming enterprise. N.J.S.A. 54:32B-8.15.
- Sales of busses to regulated bus companies for public passenger transportation or to carriers for use in school children transportation services. N.J.S.A. 54:32B-8 28
- Sales of equipment for use directly and primarily in the production department of a newspaper plant or for use in the production of property for sale by a commercial printer. N.J.S.A. 54:32B-8.29.
- · Sales of advertising material to be published in a newspaper. N.J.S.A. 54:32B-8.30.
- Sales of aircraft or repair services to an "air carrier," and repairs to certain business aircraft, including machinery or equipment installed on such. N.J.S.A. 54:32B-8.35.
- Sales of equipment used exclusively to sort and prepare solid waste for recycling or in recycling (does not include motor vehicles). N.J.S.A. 54:32B-8.36.
- Sales of printed advertising materials for out-of-state distribution and sales of direct-mail processing services rendered in connection with the distribution of such materials to out-of-state recipients. N.J.S.A. 54:32B-8.39.
- Sales of commercial trucks, truck tractors and semi-trailers which are properly registered and 1) have a gross vehicle weight rating in excess of 26,000 pounds; or 2) are operated actively and exclusively for the carriage of interstate freight under a certificate or permit issued by the Interstate Commerce Commission; or 3) are registered as a farm vehicle under the Motor Vehicle Statute (N.J.S.A. 39:3-24 and 25) and have a gross vehicle weight rating in excess of 18,000 pounds. N.J.S.A. 54:32B-8.43.

- Sales of machinery and equipment used directly and primarily in producing broadcast programming or cable/satellite television programming. N.J.S.A. 54:32B-8.13e.
- Sales of tangible property for use directly and primarily in the production of film or video for sale, including motor vehicles, parts, supplies and services
  to such property. N.J.S.A. 54:32B-8.49.
- Sales of commercial ships and charges for components, repair and alteration services for commercial ships. N.J.S.A. 54:32B-8.12.
- · Sales of materials, such as chemicals and catalysts, used to induce or cause a refining or chemical process. N.J.S.A. 54:32B-8.20
- Sales of electronically delivered computer software that is used directly and exclusively in the conduct of the purchaser's business, trade, or occupation.
   N.J.S.A. 54:32B-8.56.
- \*\*5. Eligible Nonregistered Purchaser If the purchaser is not required to be registered for sales and use tax purposes in New Jersey, in the box at the top, left corner of the form marked "Eligible Nonregistered Purchaser" the purchaser is required to place one of the following in order of preference:

  1) the Federal Identification Number of the business; 2) out of state registration number.

Private reproduction of both sides of the Exempt Use Certificates may be made without the prior permission of the Division of Taxation.

FOR MORE INFORMATION: Read publication S&U-6 (Sales Tax Exemption Administration) at <a href="http://www.state.nj.us/treasury/taxation/pdi/pubs/sales/su6.pdf">http://www.state.nj.us/treasury/taxation/pdi/pubs/sales/su6.pdf</a>

#### DO NOT MAIL THIS FORM TO THE DIVISION OF TAXATION

This form is to be completed by purchaser and given to and retained by seller.